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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,423	10/02/2000	John M Boyd	LAM2P206	4367

7590

01/14/2004

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EXAMINER

SHAKERI, HADI

ART UNIT

PAPER NUMBER

3723

DATE MAILED: 01/14/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/678,423

Applicant(s)

BOYD ET AL.

Examiner

Hadi Shakeri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25,26 and 42-59 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25,26,42,43,58 and 59 is/are allowed.
- 6) ☒ Claim(s) 44-57 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- ☐ Interview Summary (PTO-413) Paper No(s). ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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DETAILED ACTION***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

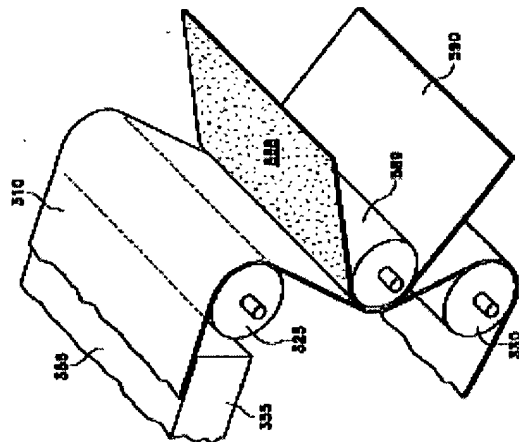
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 44-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Donohue et al.

Donohue et al. discloses all the limitations of the above claims, i.e., a fixed abrasive pad (310), a web dressing media (590) having a contact surface defined between a first point and a second point (edges of the web), a feed roller, a take up roller (not shown, col. 17, line 30-45); a pressure application plate (589) may be in form of a flat bar, col. 20, lines 10-13, applied to a surface opposite the contact surface. Wherein the pad is configured to move continuously in one direction, (embodiments with endless pad, col. 5, line 8, even though an indexing media would also meet the limitation, i.e., continuously moving in one direction during "operation"), and wherein the media is polished prior to applying a wafer, e.g., col. 19, lines 41-44 and applying the dressing media onto a non-flexing region.



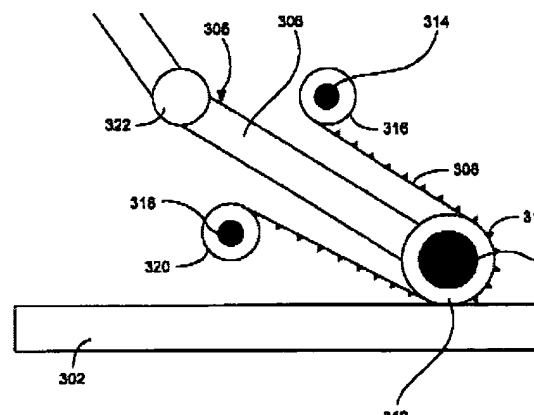
Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

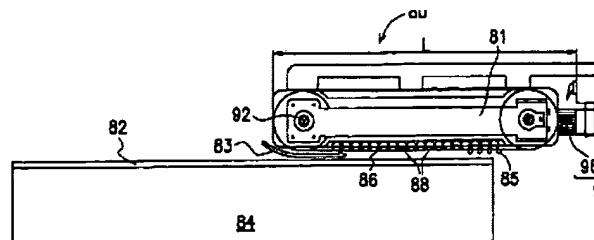
4. Claims 51-54 and 56 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagahara et al.

Nagahara et al. discloses all the limitations of the above claims, i.e., a polishing disk (302) or continuous feed or closed loop abrasive pad, col. 1, lines 10-12, a pressure application member (311) defined above the pad configured to apply a web dressing media (308) to the surface of the disk having feed and rake-up rollers defined above the disk having a stabilization member with an application arm and applying the dressing media onto a non-flexing region.



5. Claims 51, 52, 54 and 56 are rejected under 35 U.S.C. 102(e) as being anticipated by Liu.

Liu discloses all the limitations of the above claims, i.e., a polishing disk (82) a pressure application member defined above the pad configured to apply a web dressing media (86) to the surface of the disk having feed and rake-up rollers defined above the disk having a stabilization member with an application arm and applying the dressing media onto a non-flexing region.



Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 44-50, 55 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagahara in view of Donohue.

Nagahara meets all the limitations of the above claims except for disclosing a flat formed application plate and programmable indexing belt. Flat application plate and programmable indexing of the polishing web are taught by Donohue. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the inventions of Nagahara with a flat application plate and programmable indexing of the web in enhancing the operation.

8. Claims 44-50, 53, 55 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Donohue.

Liu meets all the limitations of the above claims except for disclosing a flat formed application plate, programmable indexing belt applying the invention to a fixed abrasive pad. Flat application plate and programmable indexing of the polishing web and applying the invention to a fixed abrasive pads are taught by Donohue. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the inventions of Liu by applying a flat application plate and programmable indexing of the web to a fixed abrasive pad in enhancing the dressing operation.

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Allowable Subject Matter

9. Claims 25, 26, 42, 43, 58 and 59 are allowed.
10. The following is a statement of reasons for the indication of allowable subject matter: a "web" dressing media (as per specification is considered as broad recitation of a system having feed-roll and take-up roll thus defining a web dressing media) and the pressure application enclosed in a housing configured to rotate as per Figs. 4A and 4B, places these claims in condition for allowance.

Response to Arguments

11. Applicant's arguments filed 10/20/03 have been fully considered but they are not persuasive.

In response to applicant's argument that Donohue does not disclose a flat width plate, Applicant is directed to col. 20, lines 9-13. The argument regarding applying the media to a non-flexing region is not persuasive since a non-flexing region as defined by the specification as originally file, e.g., Fig. 2A-1 is met by prior art. As indicated in the previous Office Actions, Donahue does disclose embodiments where the pad is conditioned prior to use. And Donohue also discloses in the last paragraph applying the invention to different types of pads.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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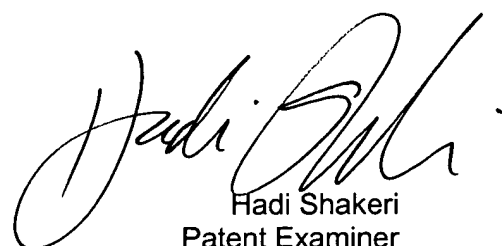
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hadi Shakeri at (703) 308-6279. The examiner can normally be reached on Monday-Thursday, 7:30 AM to 6:00 PM.

Unofficial documents may be faxed to the Examiner at (703) 746-3279.

Official documents should be faxed to (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist at (703) 308-1148.



Hadi Shakeri
Patent Examiner
January 10, 2004